

**Planning Commissioner Summary and Written Comments
April 12, 2016**

T.W./55 Multifamily (A1500013)

BRINE – I voted in favor of this plan amendment because I concurred with staff's findings that it met the four criteria for a plan amendment and was consistent with the Comprehensive Plan.

BUZBY – Given its location next to existing residential development, proximity to Research Triangle Park and traffic capacity to handle the new development. I vote to approve.

FREEMAN – Environmental features around the stream buffer is a point of concern. Also, with the sewage treatment facility and stream with no idea of the drainage levels. Sidewalks are not included in text comments. It would be nice to track County median pricing along w/residential or proposed residential developments. New Legislation allowing a density bonus for stream buffers create a push to build around streams.

GHOSH – I am very much in favor of this project. I grew up right near the site and I still pass it almost every day. I cannot understand why this piece has not been developed previously. I am glad the applicant is taking the initiative to rezone this property in a manner that may make it more useful in the long run. To that end, I could not be more excited about the proposed use as a residential development. Simply put. We need more housing, of all types, in Durham. I am in favor of trying to make use of this land for residential. As I state, I live very close to this site. There is basically NO traffic here. Moreover, this site is close to many shopping centers that could benefit from residential roof tops.

GIBBS – Approve this project. All required site “protections” will be met. I think potentially a unique design opportunity with the stream buffer separation.

HUFF – I voted approval.

HYMAN – No comment.

KENCHEN – Meets criteria for plan amendments. There are no apparent negative impacts. Also, complements Multi-Family development located in the east. It's compatible with adopted plans.

MILLER – The City Council should approve this Comprehensive Plan Future Land Use Map change. The proposed change would re-designate land now marked for future industrial use to medium-high density residential use. It would also re-designate land marked for future

medium density residential use to medium-high density residential. The re-designations in the FLUM will accommodate the rezoning proposed in case Z1500032.

The requested change to the FLUM in this case serves Comprehensive Plan policies 2.2.2b and 2.3.1a. The property in question contains a very large and wet environmentally sensitive area. For this reason, the portion of the property next to the environmentally sensitive currently designated for future industrial use should be changed to residential use where the potential for negative environmental impacts will be reduced. While both industrial and residential uses are appropriate for the suburban tier under the comprehensive plan, this parcel will better serve the suburban character of the area if developed for residential uses. The estimated demand for industrial property will not be significantly affected by the requested change as the land available for industrial use exceeds the demand. The neighboring the site are primarily undeveloped land. The significant exception is the multifamily project to the east. This change to medium-high density residential is entirely consistent with the developing pattern of land use in the vicinity.

The wet conditions on the property will make development of any kind a challenge, but there is sufficient high ground to accommodate residential uses. The potential negative impacts of such uses are, in my estimation, less than if the property were to be developed for industrial purposes.

VANN – No idea as to what the end project will be and no opposition to this project thus far. Issue of sidewalks was noted and there is a need for sidewalks. I voted yes.

WHITLEY – I vote to approve.

WINDERS – Medium density, 6-12 acre is the appropriate land use, Consistent with near-by development across railroad. Because of environmental limitations the developable area raises safety (fire & emergency) concerns. If the part of the site that is isolated, across the stream is densely developed.

T.W./55 Multifamily (Z1500032)

BRINE - I voted in favor of this rezoning request because I agreed that the proposed residential use was reasonable for this location and because the request met all ordinance requirements.

Since I think that the marketing of this site may be challenging due to its location, I suspect that the residential use will likely be apartments (rental).

With regard to the "unresolved transportation concern", I understand transportation staff's thinking on the matter. However, in this case, I agreed with the applicant's position regarding the matter.

BUZBY - I believe this rezoning request is in compliance with the Durham Comprehensive Plan – Therefore I vote to approve. This is an appropriate rezoning given its location next to existing residential development, proximity to Research Triangle Park and traffic capacity to handle this new development.

GHOSH – In addition to my comments on the plan amendment, I would add the following in support of the rezoning case. Multi-family makes sense in this location as it is nearby the railroad and county waste water treatment plant. Again, I will point out that I live very close to this site. The waste water treatment plant has not negatively impacted my experience living there. I believe this site is perfectly suitable for multi-family. It is important to note that the proposal density is capped at 12.5 units/ac. This is the site of what they here requested in the plan amendment, thus the added impact of this rezoning is minimal.

HUFF – Voted approval and hop that stormwater remediation will not be in the riparian area. I hope the applicant builds sidewalks on TW Alexander and Hwy 55.

HYMAN – No comment.

KENCHEN – This would facilitate an excellent development and fits will at this location. It's compatible with current development in the area. This also is consistent with the Future Land use map as the comprehensive plan.

MILLER – If the City Council approves the FLUM change proposed in A1500032, the City Council should approve this rezoning in part for the reasons I set out in my comments concerning A1500032, but also because the development plan limits the actual density to just 12.5 units per acre and concentrates development on the high ground.

The proposal would change the zoning from neighborhood commercial and rural residential to suburban multifamily with a development plan, RS-M(D). Under this rezoning, the developer plans between 192 and 300 units. The overall density would be limited by development plan commitments to 12.5 units per acre – down from a maximum of 18 units per acre allowed by the RS-M zone without the voluntary limitation. This reduction in density is realistic given the site's difficult low areas. The range in the number of units proposed reflects the engineering problems that may arise in joining the developable high places on the property with a bridge or causeway.

Use of this property for multifamily is appropriate for the suburban tier. There are no incompatible land uses nearby. The only significant development in the immediate vicinity is a multifamily project across the railway cut to the east. The site is adequately served by infrastructure except water and sewer. This problem would be solved by annexation and an extension agreement.

The current neighborhood commercial designation for a portion of the property (and for a large parcel across Hwy55) are not appropriate for the site. Neighborhood commercial, as described by its own UDO intent statement, is meant to serve a local residential area in a walkable way. CN development should be reasonably scaled to serve the surrounding area. Currently the area near the intersection of 55 and TW Alexander has large areas zoned CN and even general commercial. These large tracts of commercially zoned property dominate the area's residentially zoned land. The scaling of commercial to residential in the area is grossly out of proportion and is wholly inconsistent with the proper relationship of CN property to the area it should serve. Further, Hwy55 is a four-lane street. It is hardly walkable in the way the term is used in the description of CN in the UDO. A reduction in the amount of CN property in this area is a desirable thing.

WHITLEY – I vote to approve.

GIBBS – Voted approval. See notes on A1500013

VANN – I voted yes. The area is in need of growth and passed 11-2.